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ATTORNEYS FOR PLAINTIFFS, CARPENTERS SOUTHWEST
ADMINISTRATIVE CORPORATION and BOARD OF TRUSTEES
FOR THE CARPENTERS SOUTHWEST TRUSTS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CARPENTERS SOUTHWEST
ADMINISTRATIVE CORPORATION, a
California non-profit corporation; and
BOARD OF TRUSTEES FOR THE
CARPENTERS SOUTHWEST TRUSTS,

CASE NO. CV 09-07861
DDP(CWx)

~~PROPOSED~~ JUDGMENT

Plaintiffs,

v.

AMERICAN INDUSTRIAL
CONTRACTING, INC., a California
corporation; PAUL HOBART
HAMILTON, individually and doing
business as AMERICAN INDUSTRIAL
CONTRACTING formerly known as
PAUL HAMILTON CONSTRUCTION, a
sole ownership; SUN MARCHANT, an
individual; ANGELES CONTRACTOR,
INC., a California corporation; and DOES
1 through 10, inclusive,

Before the Honorable
Dean D. Pregerson

DATE: August 9, 2010
TIME: 10:00 a.m.
CTRM: 3

Defendants.

This case came for hearing on August 9, 2010 before the Honorable Dean
D. Pregerson, United States District Court Judge.

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1 It appearing that defendants, AMERICAN INDUSTRIAL
 2 CONTRACTING, INC., a California corporation and PAUL HOBART
 3 HAMILTON, individually and doing business as AMERICAN INDUSTRIAL
 4 CONTRACTING formerly known as PAUL HAMILTON CONSTRUCTION, a
 5 sole ownership, having been regularly served with process, having failed to plead
 6 or otherwise defend this action and their default having been entered; on
 7 application of the CARPENTERS SOUTHWEST ADMINISTRATIVE
 8 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
 9 SOUTHWEST TRUSTS, to the Court and after having considered the papers and
 10 arguments submitted in support thereof, and good cause appearing therefore,

11 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
 12 CARPENTERS SOUTHWEST ADMINISTRATIVE CORPORATION and
 13 BOARD OF TRUSTEES FOR THE CARPENTERS SOUTHWEST TRUSTS
 14 have judgment as follows:

15 AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE
 16 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
 17 SOUTHWEST TRUSTS' FIRST CLAIM FOR RELIEF AGAINST AMERICAN
 18 INDUSTRIAL CONTRACTING, INC., a California corporation and PAUL
 19 HOBART HAMILTON, individually and doing business as AMERICAN
 20 INDUSTRIAL CONTRACTING formerly known as PAUL HAMILTON
 21 CONSTRUCTION, a sole ownership:

- | | | |
|----|--|--------------|
| 22 | 1. Unpaid contributions | \$285,436.84 |
| 23 | 2. Liquidated damages based on original | |
| 24 | contributions | 47,398.96 |
| 25 | 3. Interest on the unpaid contributions pursuant | |
| 26 | to 29 U.S.C.A. 1132 (g)(2) (7 percent per annum) | |
| 27 | pursuant to the Trust Agreements from the due | |
| 28 | date to billing date | 6,913.26 |
| | 4. Audit Fees | 8,594.00 |
| | 5. Interest from due dates to August 9, 2010 | |

1	(accruing at \$55.49 per day)	23,635.54
2	6. NSF Bank charges	40.00
3	7. Attorneys' fees pursuant to Local Rule 55-3	10,567.66
4	GRAND TOTAL	\$382,586.26
5	8. Plus costs to be determined after entry of judgment.	
6		
7	9. Pursuant to 28 U.S.C. §1961(a), this judgment shall bear interest at the rate of _____% per annum.	

8 AS TO CARPENTERS SOUTHWEST ADMINISTRATIVE
 9 CORPORATION and BOARD OF TRUSTEES FOR THE CARPENTERS
 10 SOUTHWEST TRUSTS' SECOND CLAIM FOR RELIEF FOR DEFALCATION
 11 AGAINST PAUL HOBART HAMILTON:

12	1. Unpaid contributions	\$79,787.46
13	2. Interest on the unpaid contributions pursuant to 29 U.S.C.A. 1132 (g)(2) (7 percent per annum) pursuant to the Trust Agreements from the due date to August 9, 2010 (accruing at \$15.51 per day)	6,394.69
14		
15	3. Attorneys' fees pursuant to Local Rule 55-3	4,791.50
16	GRAND TOTAL	\$90,973.65
17		
18	4. Plus costs to be determined after entry of judgment.	
19	5. Pursuant to 28 U.S.C. §1961(a), this judgment shall bear interest at the rate of _____% per annum.	
20		

21 DATED: August 10, 2010


 THE HONORABLE DONALD D. PREGERSON
 UNITED STATES DISTRICT JUDGE

23 Presented by,
 24 DeCARLO, CONNOR & SHANLEY
 25 A Professional Corporation

26 By: Margaret R. Gifford 7/1/10
 27 MARGARET R. GIFFORD
 Attorney for Plaintiffs

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